

ARKANSAS COURT OF APPEALS

PROCEEDINGS OF NOVEMBER 4, 2015

ROBERT J. GLADWIN, CHIEF JUDGE:

[CR-15-187](#). Toni Johnson v. State of Arkansas, from Dallas County Circuit Court. Appeal dismissed. Harrison and Gruber, JJ., agree.

[CR-15-399](#). Lamarshare Wells v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Harrison and Gruber, JJ., agree.

RAYMOND R. ABRAMSON, JUDGE:

[CV-15-351](#). Aleasha Blankenship v. Arkansas Department of Human Services and Minor Child, from Cleveland County Circuit Court. Affirmed; motion to withdraw granted. Vaught and Hixson, JJ., agree.

BRANDON J. HARRISON, JUDGE:

[CR-14-835](#). Jay Jones v. State of Arkansas, from Pope County Circuit Court. Affirmed; motion to withdraw granted. Gladwin, C.J., and Gruber, J., agree.

[CR-15-359](#). Angela Y. Craft v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Gladwin, C.J., and Gruber, J., agree.

[CV-15-416](#). Michael A. Tanner v. Jennifer Gregersen, from White County Circuit Court. Affirmed. Gladwin, C.J., and Gruber, J., agree.

M. MICHAEL KINARD, JUDGE:

[CR-15-361](#). Terrell Alexander Bass v. State of Arkansas, from Crittenden County Circuit Court. Affirmed. Virden and Hoofman, JJ., agree.

[CV-15-532](#). Morris Voan v. City of Texarkana, from the Arkansas Workers' Compensation Commission. Affirmed. Virden and Hoofman, JJ., agree.

RITA W. GRUBER, JUDGE:

[CR-15-235](#). Ismael Raquel-Dieguez v. State of Arkansas, from Washington County Circuit Court. Affirmed. Gladwin, C.J., and Harrison, J., agree.

[CV-15-321](#). Ruth Newkirk and David Newkirk v. Rocky Burton and Shannon Burton, from Lonoke County Circuit Court. Affirmed. Gladwin, C.J., and Harrison, J., agree.

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DAVID M. GLOVER, JUDGE:

[CV-15-236](#). In the Matter of the Estate of Freddie E. Hyde, Deceased; Michelle Treat, Executrix of the Estate of Freddie E. Hyde, Deceased v. Jerry Hyde, from White County Circuit Court. Reversed on direct appeal; affirmed on cross-appeal. Whiteaker and Brown, JJ., agree.

[CV-15-436](#). Kevin Burnett and Larreasha Adams v. Rush & Company, Inc., from Pulaski County Circuit Court, Second Division. Affirmed. Whiteaker and Brown, JJ., agree.

PHILLIP T. WHITEAKER, JUDGE:

[CR-15-370](#). Gadrian Hill v. State of Arkansas, from Bradley County Circuit Court. Affirmed. Glover and Brown, JJ., agree.

[CV-14-662](#). Christine Stamps v. Teneshia Brown-Epps, from Lee County Circuit Court. Affirmed. Glover and Brown, JJ., agree.

LARRY D. VAUGHT, JUDGE:

[CR-15-484](#). Zack Ryan v. State of Arkansas, from Polk County Circuit Court. Remanded to settle and supplement the record; rebriefing ordered. Abramson and Hixson, JJ., agree.

CLIFF HOOFFMAN, JUDGE:

[CR-15-261](#). Michael Crews and April Jo Crews v. State of Arkansas, from Pulaski County Circuit Court, Seventh Division. Affirmed. Virden and Kinard, JJ., agree.

[E-15-31](#). Jori Enterprises, LLC, d/b/a Club Z v. Director, Department of Workforce Services, from the Arkansas Board of Review. Affirmed. Virden and Kinard, JJ., agree.

WAYMOND M. BROWN, JUDGE:

[CR-15-155](#). Brandon Ulysses Westbrook v. State of Arkansas, from Pulaski County Circuit Court, First Division. Supplemental addendum ordered. Glover and Whiteaker, JJ., agree.

[CV-15-252](#). Victoria Jane Fleming, Individually, and as Personal Representative of the Estate of Scott James Fleming; and On Behalf of the Wrongful Death Beneficiaries of the Estate of Scott James Fleming v. Kenneth Vest, M.D., from Garland County Circuit Court. Reversed and remanded. Abramson, J., agrees. Harrison, J., concurs.

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WAYMOND M. BROWN, JUDGE: (Continued)

[CV-15-355](#). Chad McPeak v. Laura McPeak, from Pulaski County Circuit Court, Fourteenth Division. Affirmed. Glover and Whiteaker, JJ., agree.

PER CURIAM DECISIONS

The following cases appealed from the Arkansas Board of Review are affirmed without written opinion pursuant to Supreme Court Rule 5-2(f).

E-15-305. Osborn Holysz v. Director et al.

E-15-306. Arthur Hillard v. Director et al.

E-15-307. Frances Webb v. Director et al.

E-15-308. Miesha Thomas v. Director et al.

E-15-309. Donna Jones v. Director et al.

E-15-310. Ta’Nesha Nichols v. Director et al.

E-15-311. Diane Duncan v. Director et al.

E-15-312. Karon Cunningham v. Director et al.

E-15-313. Amie Wells v. Director et al.

E-15-314. Brian Tegeler v. Director et al.

E-15-315. Mae White v. Director et al.

E-15-316. Sherrion James v. Director et al.

E-15-317. Darrel Jones v. Director et al.

E-15-318. Winnie Baker v. Director et al.

E-15-319. Vanessa Broughton v. Director et al.

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E-15-320. Ronald Byrum v. Director et al.

E-15-321. Steven Shelton v. Director et al.

E-15-322. Amber Walker v. Director et al.

E-15-323. Roderick Settles v. Director et al.

E-15-324. Michael Pschier v. Director et al.

E-15-325. Ieashia Rankin v. Director et al.

E-15-326. Rose Coleman-Norah v. Director et al.

E-15-327. Birch Tree Communities, Inc. v. Director et al.

E-15-328. Kim Russell v. Director et al.

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PER CURIAM ORDERS

PETITIONS FOR REHEARING: Petitions for rehearing were denied today in the following cases.

CV-14-730. Joni R. Collins v. Mitchell L. Collins, from Faulkner County Circuit Court.

CV-14-1097. Charity S. Lovan (now Rydberg) v. Joshua B. Lovan, from Sebastian County Circuit Court, Greenwood District.

CV-15-71. Catherine W. Smith v. Paul R. Smith, from Garland County Circuit Court.

CR-13-1010. Jermaine Hicks v. State of Arkansas, from Crittenden County Circuit Court. Motion of Steven R. Smith and David O. Bowden for attorney's fees is granted. Allowed \$1,600.00.

CR-14-789. Marcus Harris v. State of Arkansas, from Jefferson County Circuit Court. Motion of Gary W. Potts for attorney's fees is granted. Allowed \$1,200.00.

CR-14-832. Mark Todd Morris v. State of Arkansas, from Benton County Circuit Court. Motion of David M. Hogue for attorney's fees is granted. Allowed \$1,800.00.

CR-14-990. Edward Wallace Lockhart v. State of Arkansas, from Saline County Circuit Court. Appellant's motion to reinvest the trial court with jurisdiction to settle the record. Motion treated as motion to remand to the circuit court to settle the record and granted.

CR-14-990. Edward Wallace Lockhart v. State of Arkansas, from Saline County Circuit Court. Appellant's petition for writ of certiorari is moot.

CR-14-1036. Emilio Gutierrez v. State of Arkansas, from Sevier County Circuit Court. Motion of Darrell F. Brown, Jr., for attorney's fees is granted. Allowed \$1,800.00.

CR-15-46. Joyce Rollf v. State of Arkansas, from Pulaski County Circuit Court, Fourth Division. Motion of Misty Wilson Borkowski for attorney's fees is granted. Allowed \$1,800.00.

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PER CURIAM ORDERS

CR-15-87. Ronald Fennell v. State of Arkansas, from Benton County Circuit Court. Appellant's motion for enlargement of time to file supplemental addendum, supplemental abstract, and re-brief is granted.

CR-15-130. Andre Williams v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,800.00.

CR-15-131. Jeffery Brasuell v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,800.00.

CR-15-132. Jason Mundell v. State of Arkansas, from Crawford County Circuit Court. Motion of Lisa-Marie Norris for attorney's fees is granted. Allowed \$1,400.00.

CR-15-152. Matthew Brian Burnside v. State of Arkansas, from Faulkner County Circuit Court. Motion of Robert M. "Robby" Golden for attorney's fees is granted. Allowed \$1,800.00.

CR-15-337. Amy Lee Ballinger v. State of Arkansas, from Ashley County Circuit Court. Appellant's motion to file belated brief is granted.

CR-15-382. James W. Reardon v. State of Arkansas, from Boone County Circuit Court. Motion of Gary W. Potts for attorney's fees is granted. Allowed \$1,800.00.

CV-14-954. Joanne Amy Doughty v. Richard Douglas, from Garland County Circuit Court. Appellant's pro se petition to proceed in forma pauperis is denied.

CV-15-541. Beth's Bail Bonds, Inc. v. State of Arkansas, from Pulaski County Circuit Court, First Division. Appellant's motion to supplement the record on appeal is granted.

E-15-361. Let's Talk Speech Pathology Services, LLC v. Director et al., from the Arkansas Board of Review. Appellant's motion to supplement the record is granted.

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MOTIONS SUBMITTED

PETITIONS FOR REHEARING:

CV-14-353. Jeannie Sherman v. Raymond Boeckmann, from Cross County Circuit Court.

CV-15-48. Ashely Newby v. David Newby, from Benton County Circuit Court.

CV-15-51. Elizabeth James (formerly Walchli) v. Butch Lee Walchli, from Sebastian County Circuit Court, Greenwood District.

CV-15-415. Roy McMahan v. Arkansas Department of Human Services and Minor Child, from Washington County Circuit Court.

CR-14-695. Michael Todd v. State of Arkansas, from Hempstead County Circuit Court. Appellant's motion for extension of time to file records.

CR-14-866. Gerald Jermaine Allen v. State of Arkansas, from Crittenden County Circuit Court. Motion of S. Butler Bernard, Jr., for attorney's fees.

CR-14-1002. Jimmy Northern v. State of Arkansas, from Mississippi County Circuit Court, Chickasawba District. Motion of John H. Bradley for attorney's fees.

CR-15-96. Javaughntaiye Jamar Willis v. State of Arkansas, from Washington County Circuit Court. Motion of John Barry Baker for attorney's fees.

CR-15-214. Amanda Thacker v. State of Arkansas, from Jefferson County Circuit Court. Motion of Paul J. Teufel for attorney's fees.

CR-15-225. Adrian Wooten v. State of Arkansas, from Howard County Circuit Court. Motion of William O. "Bill" James, Jr., for attorney's fees.

CR-15-427. Ardwin Sylvester v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District. Motion of Charlene Davidson Henry for attorney's fees.

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MOTIONS SUBMITTED

CR-15-760. Jacob Wade Pope v. State of Arkansas, from Arkansas County Circuit Court, Northern District. Appellant's pro se motion for extension of time to file brief and appointment of counsel.

CV-15-193. Hector Hortelano v. Laura Ivette Hortelano, from Pulaski County Circuit Court, Twelfth Division. Appellant's petition for certiorari to complete the record and motion to stay briefing schedule.

CV-15-558. Brenda Hendrix, Individually, and as Special Administrator for the Estate of Guy D. Hendrix, Deceased v. Alcoa, Inc., and Breeding Insulation Company, from Saline County Circuit Court. Motion of appellee Alcoa, Inc., to dismiss appeal.

CV-15-558. Brenda Hendrix, Individually, and as Special Administrator for the Estate of Guy D. Hendrix, Deceased v. Alcoa, Inc., and Breeding Insulation Company, from Saline County Circuit Court. Motion of appellee Alcoa, Inc., to stay appeal and for extension of time.

CV-15-622. Felicia Farris, M.D. v. Cynthia L. Conger, C.P.A., from Pulaski County Circuit Court, Third Division. Appellee's motions for a determination as to whether the appellant's brief was properly and in fact filed on the date of October 6, 2015; and an extension of time for filing appellee's brief due to the disruption in appellee's attorney's schedule because of the time extensions already granted.

CV-15-653. Monroe Carlton, Jerry Rice, Kathy Rice, Amanda Rice, Meredith Lemons, Miranda Pascoe, and Margaret Pleasants v. Grace Ellen Rice, from Lonoke County Circuit Court. Appellants' petition for writ of certiorari to complete record and to stay briefing schedule until completion of record.

CV-15-655. Monroe Carlton, Jerry Rice, Kathy Rice, Amanda Rice, Meredith Lemons, Miranda Pascoe, and Margaret Pleasants v. Grace Ellen Rice, from Lonoke County Circuit Court. Appellants' petition for writ of certiorari to complete record and to stay briefing schedule until completion of record.

CV-15-728. Joe T. Benton III et al. v. Bruce Smith and Jan Smith, from Cleburne County Circuit Court. Appellants' motion to supplement record and to stay briefing schedule.

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CASES SUBMITTED

CR-14-980. Jeremy Edward Whalen v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CR-15-141. James Mikel Reep v. State of Arkansas, from Saline County Circuit Court.

CR-15-303. Chad Squyres v. State of Arkansas, from Pike County Circuit Court.

CR-15-368. Antonio C. Bryles v. State of Arkansas, from Pulaski County Circuit Court, First Division.

CR-15-375. Adam Eugene Lane v. State of Arkansas, from Sebastian County Circuit Court, Fort Smith District.

CV-14-951. Beth's Bail Bonds, Inc. v. State of Arkansas, from Pulaski County Circuit Court, Fifth Division.

CV-14-968. Bobby H. Weatherford et al. v. Arkansas Reclamation Company, LLC, et al., from White County Circuit Court.

CV-14-1017. Sandy Sharp v. Angela Pike, from Benton County Circuit Court.

CV-15-134. Anna J. Belk v. William S. Belk, Jr., et al., from Perry County Circuit Court.

CV-15-218. Allen H. Gladden and Anita E. Gladden v. Mark McClure, Kim McClure, Trustees of the Pruitt Family Trust, and Garland County, from Garland County Circuit Court.

CV-15-299. Kristel Cho Earl v. Jason Robert Earl, from Washington County Circuit Court.

CV-15-300. Priscilla Ponder v. Arkansas Department of Human Services et al., from Union County Circuit Court.

CV-15-305. Gregory L. Pelts v. Shelly A. Pelts, from Lonoke County Circuit Court.

CV-15-464. Crystal Wilson and Allen Allred v. Arkansas Department of Human Services and Minor Children, from Bradley County Circuit Court.

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CASES SUBMITTED

CV-15-511. Mary Collins v. Ava Leutholt, Richard Leutholt, and Leutholt Properties, LLC, from Randolph County Circuit Court.

CV-15-590. Glenn W. Myers v. City of Rockport, Arkansas Municipal League WC Trust, and Death & Permanent Total Disability Trust Fund, from the Arkansas Workers' Compensation Commission.

CV-15-607. Autumn Vogel v. Arkansas Department of Human Services and Minor Child, from Saline County Circuit Court.

CV-15-628. Teresa Hardy v. Arkansas Department of Human Services and Minor Children, from Yell County Circuit Court, Northern District.

The following cases are appeals from the Arkansas Board of Review.

E-15-367. Dale Gertiser v. Director et al.

E-15-368. Estralita Smith v. Director et al.

E-15-369. Jacquelyn Harrison v. Director et al.

E-15-370. Tailor Andrews v. Director et al.

E-15-371. Carolyn Weeks v. Director et al.

E-15-372. Sonic Drive-In, Phillips County, LLC v. Director et al.

E-15-373. Tara Davis v. Director et al.

E-15-374. Teri Warren v. Director et al.

E-15-375. Cheryl Roy v. Director et al.

E-15-376. Larissa Sims v. Director et al.

E-15-377. Jamie Cupples v. Director et al.

E-15-378. Ed Sisson, Jr. v. Director et al.

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CASES SUBMITTED

E-15-379. Lewis Cothrine v. Director et al.

E-15-380. Physicians' Specialty Hospital v. Director et al.

E-15-381. Jacqueline Hampton v. Director et al.

E-15-382. Rebecca Smith v. Director et al.

E-15-383. Montreal Ester v. Director et al.

E-15-384. Jennifer Dollar v. Director et al.

E-15-385. Carlton Kelly II v. Director et al.

E-15-386. Brandy Thomas v. Director et al.

E-15-387. Bryan Kizzire v. Director et al.

E-15-388. LaMarcus Whitfield v. Director et al.

E-15-389. Ricky Henry v. Director et al.

E-15-390. Brandon Cooper v. Director et al.

E-15-391. Jamey Brewster v. Director et al.

E-15-392. Kyle Carver v. Director et al.

E-15-393. Robert Heath v. Director et al.

E-15-394. Calvin Ivory v. Director et al.

E-15-395. Olga Villela v. Director et al.

E-15-396. Adrian Hiley v. Director et al.

E-15-397. Jerrold Beavers v. Director et al.

E-15-398. Mary Dorsey v. Director et al.

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CASES SUBMITTED

E-15-399. Travis Wilbourn v. Director et al.

E-15-401. Lisa Jones v. Director et al.

E-15-402. Ana Martinez v. Director et al.

E-15-403. Jeffrey Fakler v. Director et al.